

FILED WITH LRC TIME: <i>9 am</i>
MAR 15 2019
<i>Emily B Caudill</i> REGULATIONS COMPILER

1 TOURISM, ARTS AND HERITAGE CABINET

2 Department of Fish and Wildlife Resources

3 (Repealer)

4 301 KAR 3:091. Repeal of 301 KAR 3:090. Waterfowl painting contract.

5 RELATES TO: KRS Chapter 13A, 150.230, 150.250, 150.605

6 STATUTORY AUTHORITY: KRS Chapter 13A, 150.605

7 NECESSITY, FUNCTION, AND CONFORMITY: This administrative regulation pertains to
8 the issuance of a contract for a painting to be used as the annual waterfowl stamp, which
9 is issued by the state. The function of this administrative regulation is to identify the
10 procedure for issuing the contract made necessary by KRS 150.605, which was repealed in
11 2013. 301 KAR 3:090 is being repealed because the department discontinued the use of a
12 painting for the annual waterfowl stamp.

13 Section 1. 301 KAR 3:090, Waterfowl painting contract, is hereby repealed.

Approved by the Fish and Wildlife Commission



Rich Storm, Commissioner
Department of Fish and Wildlife Resources



Don Parkinson, Secretary
Tourism, Arts and Heritage Cabinet

Date: 3/7/19

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on April 23, 2019 at 9:00 a.m. at the Department of Fish and Wildlife Resources in the Commission Room of the Arnold L. Mitchell Building, #1 Sportsman's Lane, Frankfort, Kentucky. Individuals interested in attending this hearing shall notify this agency in writing by five business days prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled.

This hearing is open to the public. Any person who attends will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made.

If you do not wish to attend the public hearing, you may submit written comments on the proposed administrative regulation through April 30, 2019.

Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to:

Mark Cramer
Department of Fish and Wildlife Resources
Arnold L. Mitchell Building
#1 Sportsman's Lane
Frankfort, Kentucky 40601
(502) 564-3400 FAX (502) 564-0506
Email: fwpubliccomments@ky.gov

REGULATORY IMPACT ANALYSIS
AND TIERING STATEMENT

301 KAR 3:091. Repeal of 301 KAR 3:090, Waterfowl painting contract.

Contact Person: Mark Cramer

Email: mark.cramer@ky.gov

Phone: 502-564-3400

(1) Provide a brief summary of:

(a) What this administrative regulation does: This regulation repeals 301 KAR 3:090, which established the procedure for issuing the contract for a painting to be used as the annual waterfowl stamp.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to repeal 301 KAR 3:090, which established the procedure for issuing a contract for a painting to be used as the annual waterfowl stamp.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS Chapter 13A establishes the requirements for the administrative regulation process. KRS 150.605 was repealed in 2013 and no longer applies.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation will no longer assist in the administration of the statutes.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: N/A

(b) The necessity of the amendment to this administrative regulation: N/A

(c) How the amendment conforms to the authorizing statutes: N/A.

(d) How the amendment will assist in the effective administration of the statutes: N/A

(3) List the type and number of individuals, businesses, organizations or state and local governments affected by this administrative regulation: N/A.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: N/A

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): N/A

(c) As a result of compliance, what benefits will accrue to the entities identified in question

(3): N/A

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: There will be no cost to the department initially.

(b) On a continuing basis: There will be no cost on a continuing basis.

(6) What is the source of the funding to be used for implementation and enforcement of this administrative regulation? The source of funding is the State Game and Fish Fund.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new or by the change if it is an amendment. It will not be necessary to increase any other fees or increase funding to implement this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: No new fees will be established.

(9) TIERING: Is tiering applied? (Explain why tiering was or was not used). No, tiering is not applied since 301 KAR 3:090 is being repealed.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

301 KAR 3:091. Repeal of 301 KAR 3:090, Waterfowl painting contract.

Contact Person: Mark Cramer

Email: mark.cramer@ky.gov

Phone number: (502) 564-3400

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Department of Fish and Wildlife Resources Division of Administrative Services will be impacted by this administrative regulation.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS Chapter 13A and KRS 150.605 (repealed in 2013).

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? No revenue will be generated by this administrative regulation during the first year.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? No revenue will be generated by this administrative regulation during subsequent years.

(c) How much will it cost to administer this program for the first year? There will be no additional costs to administer this program for the first year.

(d) How much will it cost to administer this program for subsequent years? There will be no additional costs to administer this program for subsequent years.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: